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60. (New) A commercially acceptable regenerated broccoli plant regenerated from the regenerable cells of a tissue culture according to claim 59 wherein said regenerated plant comprises a center head having a diameter of 3 to 8 inches at maturity when said plant is exposed to a maximum temperature of 90°F for at least 5 consecutive days during the growth cycle of said plant.

61. (New) A commercially acceptable broccoli plant comprising a center head having a diameter of 3 to 8 inches at maturity when said plant is exposed to a maximum temperature of 95°F for at least 1 day during the growth cycle of said plant.

62. (New) Seed produced by the plant of claim 61.

63. (New) Progeny seed produced from crossing the broccoli plant of claim 61 with another plant.

64. (New) A commercially acceptable broccoli plant or its parts produced from the seed of claim 61.

65. (New) A commercially acceptable broccoli plant regenerated from tissue culture of the broccoli plant of claim 64.

66. (New) Tissue culture according to claim 65 comprising regenerable cells selected from the group consisting of meristematic tissue, anthers, leaves, ovules, roots, embryos, protoplasts and pollen.

67. (New) A commercially acceptable regenerated broccoli plant regenerated from the regenerable cells of a tissue culture according to claim 66 wherein said regenerated plant

~~comprises a center head having a diameter of 3 to 8 inches at maturity when said plant is exposed to a maximum temperature of 95°F for at least 1 day during the growth cycle of said plant.~~

68. (New) A commercially acceptable broccoli plant comprising a center head having a diameter of 3 to 8 inches at maturity when said plant is exposed to a maximum temperature of 85°F for at least 15 days during the growth cycle of said plant.

69. (New) Seed produced by the plant of claim 68.

70. (New) Progeny seed produced from crossing the broccoli plant of claim 68 with another plant.

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71. (New) A commercially acceptable broccoli plant or its parts produced from the seed of claim 70.

72. (New) A commercially acceptable broccoli plant regenerated from tissue culture of the broccoli plant of claim 71.

73. (New) Tissue culture according to claim 72 comprising regenerable cells selected from the group consisting of meristematic tissue, anthers, leaves, ovules, roots, embryos, protoplasts and pollen.

74. (New) A commercially acceptable regenerated broccoli plant regenerated from the regenerable cells of a tissue culture according to claim 73 wherein said regenerated plant comprises a center head having a diameter of 3 to 8 inches at maturity when said plant is exposed to a maximum temperature of 85°F for at least 15 days during the growth cycle of said plant.

75. (New) A commercially acceptable broccoli plant comprising a center head having a diameter of 3 to 8 inches at maturity when said plant is exposed to a maximum temperature of 80°F for at least 20 days during the growth cycle of said plant.

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76. (New) Seed produced by the plant of claim 75.

77. (New) Progeny seed produced from crossing the broccoli plant of claim 75 with another plant.

78. (New) A commercially acceptable broccoli plant or its parts produced from the seed of claim 75.

79. (New) A commercially acceptable broccoli plant regenerated from tissue culture of the broccoli plant of claim 78.

80. (New) Tissue culture according to claim 79 comprising regenerable cells selected from the group consisting of meristematic tissue, anthers, leaves, ovules, roots, embryos, protoplasts and pollen.

81. (New) A commercially acceptable regenerated broccoli plant regenerated from the regenerable cells of a tissue culture according to claim 80 wherein said regenerated plant comprises a center head having a diameter of 3 to 8 inches at maturity when said plant is exposed to a maximum temperature of 85°F for at least 15 days during the growth cycle of said plant.

REMARKS

Prior to Examination on the merits, applicants request entry of the above amendments.

Claims 1-53 are canceled. New claims 54-81 are added. The claims are supported in the application as filed. In particular, the Examiner's attention is directed to page 2 lines 20-30, page 5 lines 19-30 and page 6, lines 1-2.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made".